

**REMARKS**

Reconsideration of the present application in view of the above amendments and following remarks is respectfully requested.

**I. STATUS OF THE CLAIMS**

Applicants note with thanks the Examiner's acknowledgement (1) that claims 1 and 21 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, (2) that claims 2-5, 14-20, 22-26, 28, and 31-38 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include the limitations of the base claim and any intervening claims, and (3) that claims 11-13 are merely objected to as depending from a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims.

There is some confusion in the Final Office Action in that (1) claims 2-5, 14-20, 22-26, 28, and 31-38 do not need to be amended to include the limitations of their base claims or intervening claims because their base claims, i.e., claim 1 and 21, are rejected only under 35 U.S.C. 112, second paragraph, grounds and (2) section 10 of the Office Action purports to reject claim 8 over prior art, but claim 8 depends from claim 1, which stands allowable over the prior art and has been rejected based only on a minor error under 35 U.S.C. 112, second paragraph.

It appears that the Office accidentally believed that claim 8 depended from claim 6, which was rejected based on prior art, whereas, claim 8 actually depends from claim 1, which has been rejected based merely on a minor antecedent basis issue.

Accordingly, as best as Applicant can surmise, (1) only claim 6 was rejected based on prior art and (2) claims 2-5, 14-20, 22-26, 28, and 31-38 do not need to incorporate the limitation of their base claims or any intervening claims in order to be placed in allowable condition.

## **II. RESPONSE TO THE REJECTIONS**

### **A. Specification and Drawings**

In section 4 of the Office Action, the Office objected to the drawings as lacking the reference characters 203(b-h) mentioned in the specification. Applicant has herein corrected this error by amending the specification rather than the drawings. The problem was the result of a typographical error in the specification, which inadvertently referred to reference characters 203(b-h), when it should have referred to reference characters 202(b-h).

In section 5 of the Office Action, the Office objected to the specification because it allegedly did not mention certain reference characters that appear in the drawings. Specifically, the Office identified the following reference characters:

- a) Fig. 2: 101-11
- b) Fig. 2: 202(b-h)
- c) Fig. 5: 1-25
- d) Fig. 7: 601-605
- e) Fig. 9: 202(b-h)

The above noted change to the specification of changing reference characters 203(b-h) to 202(b-h) in order to overcome the rejection to the drawings has obviated items b) and e) in the list above. With regard to items a) and c), Applicant has herein amended the specification to refer to those reference characters. Finally, with respect to item d), Applicant notes that reference numerals 601 and 603 do appear in the original specification at page 17, lines 20 and 25. Reference numeral 603, however, was not mentioned. Applicant has herein amended the specification to add a mention of reference numeral 603 and to add further mentions of each of reference numerals 601 and 605.

Accordingly, the specification and drawings should now be unobjectionable.

## **B. Claims**

The Office objected to claim 13 stating that "from the other said segments" should be changed to --from other said segments--. Applicant has amended claim 13 accordingly in order to overcome this objection.

The Office rejected claims 1-5, 11-26 and 31-38 under 35 U.S.C. 112, second paragraph, because claims 1 and 21 recite the limitations "said icon" and "said cursor" without sufficient antecedent basis. Applicant has herein amended claims 1 and 21 in order to correct these problems.

The Office also rejected claims 11-13 under 35 U.S.C. 112, second paragraph, because "the act of said user positioning said cursor" in lines 1-2 of claim 11, "said line" in line 12 of claim 11 and line 1 of claim 13, "said icon" in line 1 of claim 12, and "said circular icon" in line 2 of claim 12 lack antecedent basis. These problems were the result of the fact that claim 11 should have depended from claim 1, rather than claim 6. Applicant has corrected claim 11 to now depend from claim 1.

Accordingly, claims 11-13 should now be in allowable form.

The Office rejected claims 6 and 8 under 35 U.S.C. 103. Applicant has herein cancelled claim 6, thus rendering this rejection moot. Also, as noted above, claim 8 depends from allowable claim 1, not claim 6. Hence, it appears that the rejection of claim 8 under 35 U.S.C. 103 was an oversight by the Office and that claim 8 actually should be deemed allowable.

## **III. CONCLUSION**

In view of the above amendments and remarks, the present application is in condition for allowance and a Notice of Allowance is therefore earnestly solicited. The Office is invited to contact applicant's undersigned counsel by telephone to resolve any further matters in connection with this application.

Group Art Unit 2174  
Application No. 09/851,467

September 27, 2005  
Attorney Docket No. P24,554-A USA

The Commissioner is authorized hereby to charge any fees or credit any overpayment associated with this Statement (copy enclosed) to Deposit Account Number 19-5425.

Respectfully submitted,

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